

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TOMAHAWK MANUFACTURING, INC.,
and FORMTEC, LLC,

Plaintiffs,

v.

SPHERICAL INDUSTRIES, INC.,
SPHERICAL INDUSTRIES HOLDINGS
LLC, CHRISTOPHER MICHAEL
DUGGAN, and WILL STEVEN HARDY,

Defendants.

Case No.: 2:23-cv-01007-APG-NJK

**Order Granting Motions to Withdraw as
Counsel**

[ECF Nos. 174, 179]

Local and out-of-state counsel for defendants Spherical Industries, Inc., Spherical Industries Holdings LLC, Christopher Duggan, and Will Hardy move to withdraw as counsel. ECF Nos. 174, 179. I previously granted withdrawal of out-of-state counsel for Christopher Duggan. ECF No. 176. Although I have not yet granted withdrawal of local counsel for Duggan, Duggan has made it clear that he intends to proceed pro se in his response to the motions to withdraw and by having filed a multitude of documents on his own behalf. I therefore grant the withdrawal of local counsel as to Duggan.

I also grant the motions to withdraw as counsel for the entity defendants and Hardy. The motions articulate sufficient grounds for withdrawal. *See* ECF Nos. 174, 179. Neither the defendant entities nor Hardy filed an opposition to the motions to withdraw. Although Duggan filed a response, as I previously indicated, he cannot represent the other defendants or speak for them. *See* ECF No. 184. The plaintiffs oppose withdrawal on the grounds that withdrawing counsel may be assisting Duggan as ghost writers. *See* ECF No. 175. Withdrawing counsel have denied doing so, and indeed have cited Duggan's pro se filings as one of many grounds for their

1 withdrawal. ECF Nos. 174; 174-1 at 4-5; 179; 179-1 at 4-5. Consequently, I grant the motions to
2 withdraw as counsel.

3 Defendants Spherical Industries, Inc. and Spherical Industries Holdings LLC have until
4 March 4, 2024 to obtain counsel to represent them in this matter. By that same date, Hardy must
5 advise the court whether he has obtained counsel or whether he intends to proceed pro se.

6 I previously suspended briefing on numerous pending motions until I resolved the issues
7 surrounding the withdrawal of defense counsel. ECF No. 186. I reset the briefing schedule as
8 follows: any pending responses are due by March 25, 2024. Replies are due by April 8, 2024.
9 The motion to dismiss (ECF No. 85) and motion for issue preclusion (ECF Nos. 130/131) are
10 fully briefed and no further briefs shall be filed in relation to these motions.

11 I THEREFORE ORDER that the motions to withdraw as counsel (**ECF Nos. 174, 179**)
12 **are GRANTED.** Alejandro S. Angulo, Michael J. Malakouti, Ryan W. Daniels, Samantha L.G.
13 Papuchis, and Louis Martin Bubala, III are withdrawn as counsel for all defendants in this
14 matter.

15 I FURTHER ORDER that defendants Spherical Industries, Inc. and Spherical Industries
16 Holdings LLC have until March 4, 2024 to obtain counsel to represent them in this matter and to
17 have their counsel file an appearance.

18 I FURTHER ORDER that by March 4, 2024, defendant Will Hardy shall advise the court
19 whether he has obtained counsel or whether he intends to proceed pro se.

20 I FURTHER ORDER that response briefs to any pending motion that is not already full
21 briefed are due March 25, 2024. Replies are due by April 8, 2024.

22 DATED THIS 9th day of February, 2023.

23 

Andrew P. Gordon
UNITED STATES DISTRICT JUDGE